

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
MICHAEL T. GLAH	:	VIOLATIONS:
THERESA M. KLISH	:	18 U.S.C. § 371 (Conspiracy to Commit
EMILY V. FORD	:	Visa Fraud - 1 count)
MARY H. GILLIN	:	18 U.S.C. § 1546(a) (Visa Fraud – 5
	:	counts)
	:	18 U.S.C. § 371 (Conspiracy to Commit
	:	Immigration Fraud - 1 count)
	:	8 U.S.C. § 1324 (Immigration Fraud - 4
	:	counts)
	:	18 U.S.C. § 2 (Aiding and Abetting)
	:	Notice of Forfeiture

INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE

At all times relevant to this Information, unless otherwise specified:

1. International Personnel Resources, Inc. (“IPR”), was a temporary employment recruiting agency with its principle place of business located in West Chester, Pennsylvania. IPR represented seasonal business owners, including country clubs, golf courses, construction companies, and landscaping companies located throughout the United States, who sought to employ aliens from Mexico and Central and South America. Until approximately March 2009, the defendants conducted the business of IPR on 115 East Chestnut Street, West Chester, Pennsylvania.
2. Defendant MICHAEL T. GLAH was the owner and president of IPR.
3. Defendant THERESA M. KLISH was employed as IPR’s vice president and chief

financial officer from on or about February 1, 2002 through on or about December 31, 2008.

4. Defendant MARY H. GILLIN was employed as an IPR office manager from on or
or
about February 16, 2004 through on or about December 31, 2008.

5. Defendant EMILY V. FORD was employed as an IPR office manager and client services director from on or about November 30, 2004 through on or about November 14, 2008.

6. The United States Department of Labor was an agency within the executive branch of the government of the United States. The United States Immigration and Naturalization Service (“INS”), whose functions relevant to this Information are now within the Citizenship and Immigration Services of the United States Department of Homeland Security, was an agency within the executive branch of the government of the United States. The United States Department of State was an agency within the executive branch of the government of the United States.

7. An alien seeking to immigrate to the United States could apply for an immigrant visa to perform skilled or unskilled labor in the United States.

8. To obtain an employment-based immigrant visa in the United States, the alien first had to obtain a formal certification from the Secretary of Labor that there were insufficient United States workers willing and qualified to perform the labor in question and that the employment of the alien would not adversely affect the wages and working conditions of United States workers similarly employed.

9. An essential requirement of the labor certification process, therefore, was for the employer to demonstrate that there were no current U.S. workers willing and able to fill the

vacant position. One means by which an employer could fulfill this requirement was by demonstrating that notices were posted at the job site and advertisements were placed in local newspapers, and by certifying either that no U.S. workers responded to the notices and advertisements or that the ones who did were not qualified. If an applicant was found not qualified, the employer was required to explain why the applicant did not meet the qualifications of the position.

10. To obtain a labor certification, the alien's prospective employer had to file with the U.S. Department of Labor an Application for Alien Employment Certification, officially known as a Form ETA 750. This application had to be completed and signed under penalty of perjury by the prospective employer. In part A of the application, the employer represented that the employer had a specific job to fill; described the nature, location, terms, and requirements of the job; and listed the number of openings to be filled by aliens under the respective job offer. The employer also certified that the job opportunity had been and was at the time of filing clearly open to any qualified U.S. worker.

11. Once the Form ETA 750 was signed and completed, the prospective employer had
to file the application with a state employment agency. In Arizona, this agency was the Arizona Department of Labor, which maintained offices in Tucson, Arizona. In Delaware, this agency was the Delaware Department of Labor, which maintained offices in Wilmington, Delaware. In Maryland, this agency was the Maryland Department of Labor Licensing and Regulation, which maintained offices in Baltimore, Maryland. In New Jersey, this agency was the New Jersey Department of Labor and Workforce Development, which maintained offices in

Trenton, New Jersey. In New York, this agency was the New York Department of Labor, which maintained offices in Albany, New York. In Pennsylvania, this agency was the Pennsylvania Department of Labor and Industry, which maintained offices in Johnstown and Harrisburg, Pennsylvania. And in Virginia, this agency was the Virginia Department of Labor and Industry, which maintained offices in Richmond, Virginia.

12. The state employment agency reviewed the Form ETA 750 for completeness, ensured that the employer was offering the prevailing wage for the job listed in the application, and oversaw any recruiting and advertising the employer might be required to do as part of the certification process. Once the state agency completed this portion of the certification process, the agency forwarded the application to the appropriate U.S. Department of Labor regional office for final determination. The regional office reviewed the Application and then either certified the Application or denied the Application. A certified Form ETA 750 Application was referred to as a “Labor Certification”.

13. If the U.S. Department of Labor certified the Application, the prospective employer could then file a Petition for Nonimmigrant Worker, known as a Form I-129, with the Immigration and Naturalization Service or, after March 1, 2003, when it took over the functions of the INS, with the U.S. Department of Homeland Security. On the Form I-129, the employer identified the name and date of birth of the alien or aliens it sought to temporarily employ. If approved, the Form I-129 enabled the alien to apply to obtain an employment-based nonimmigrant visa at a United States Consulate abroad, which would allow the alien to enter the United States temporarily to perform services or labor on a seasonal or intermittent basis.

14. The prospective employer could engage a representative to represent its interests

during the application process for labor certification. If the prospective employer engaged a representative, however, the representative had to sign and file a notice of appearance with the U.S. Department of Labor on an INS form G-28 that specifically named the client or clients.

15. At virtually any stage in the application process described above, a prospective employer could substitute another alien on whose behalf the application was being processed. To make such a substitution, the employer needed only to notify the INS or the U.S. Department of Homeland Security of the employer's intent to use the certified Form ETA 750 Application or the approved Form I-129 Petition to support the next phase of the application process on behalf of the alien.

16. The truthful filing of Forms ETA 750 and I-129 are required by the immigration laws of the United States and the regulations prescribed thereunder.

17. From on or about January 1, 2003 to on or about December 31, 2008, within the Eastern District of Pennsylvania and elsewhere, defendants

**MICHAEL GLAH,
THERESA KLISH,
EMILY FORD, and
MARY GILLIN**

conspired and agreed, together and with others known and unknown to the grand jury, to commit an offense against the United States, that is, to knowingly subscribe as true under penalty of perjury a false statement with respect to a material fact in an application, affidavit, and other document required by the immigration laws and regulations and to knowingly present such application, affidavit, and other document which contained such false statement, in violation of Title 18, United States Code, Section 1546(a).

MANNER AND MEANS

18. It was part of the conspiracy that defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, in order to generate profits for IPR, submitted false and fraudulent immigration forms to various government agencies in the names of fictitious people.

It was further part of the conspiracy that:

19. Defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and their co-conspirators, prepared and presented fraudulent Form ETA 750 Applications to the U.S. Department of Labor through the state employment agencies. The Forms ETA 750 requested greater numbers of visas than IPR's clients required. By falsely inflating the number of visas requested, defendants and their co-conspirators were able to create a pool of approved H-2B visas for the benefit of IPR's clients and to the exclusion of other U.S. companies.

20. On some of the Forms ETA 750, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and their co-conspirators, forged the signatures of petitioning business owners without their consent or permission.

21. Defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and their co-conspirators, placed advertisements on behalf of IPR's clients for nonexistent employment positions, and then submitted the fraudulent advertisements to the state employment agencies, to falsely show that the jobs were available to U.S. workers and that no U.S. workers had applied for the positions, a requirement for obtaining a Labor Certification.

22. Defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY

GILLIN, and their co-conspirators, stockpiled approved Labor Certifications for later use by other clients.

23. Defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and their co-conspirators, prepared fraudulent Form I-129 Petitions for submission to the INS, the U.S. Department of Homeland Security, and the U.S. Department of State. The Forms I-129 named fictitious aliens that had no legitimate offers of employment with, or intent to work for, any of IPR's clients.

24. Defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and their co-conspirators, placed fictitious names on the Forms I-129 to use as placeholders. In the event any of IPR's clients needed additional alien workers, the workers that IPR's clients wanted could pretend to be the placeholders and thereby could pretend to be lawfully employed.

25. To falsify the Forms I-129, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and their co-conspirators, randomly selected names from a Mexican phonebook that IPR maintained in its West Chester, Pennsylvania office, and then fabricated information, including dates of birth and addresses, for the names that were selected.

26. By their false filing scheme, among other things, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and their co-conspirators, took visas that would have gone to real people and prevented United States businesses from being able to staff their companies through the visa program.

OVERT ACTS

In furtherance of the conspiracy, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, MARY GILLIN, and other conspirators, known and unknown, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. Between on or about January 1, 2003 and on or about December 31, 2003, defendants MICHAEL GLAH and THERESA KLISH, and others, submitted approximately 118 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.

2. Between on or about January 1, 2003 and on or about December 31, 2003, defendants MICHAEL GLAH and THERESA KLISH, and others, submitted approximately 17 materially false and fraudulent Form I-129 petitions to INS, the United States Department of Homeland Security, and the United States Department of State.

3. Between on or about January 1, 2004 and on or about December 31, 2004, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 166 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.

4. Between on or about January 1, 2004 and on or about December 31, 2004, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 118 materially false and fraudulent Form I-129 petitions to the United States Department of Homeland Security and the United States Department of State.

5. Between on or about January 1, 2005 and on or about December 31, 2005, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and

others, submitted approximately 70 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.

6. Between on or about January 1, 2005 and on or about December 31, 2005, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 166 materially false and fraudulent Form I-129 petitions to the United States Department of Homeland Security and the United States Department of State.

7. Between on or about January 1, 2006 and on or about December 31, 2006, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 253 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.

8. Between on or about January 1, 2006 and on or about December 31, 2006, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 70 materially false and fraudulent Form I-129 petitions to the United States Department of Homeland Security and the United States Department of State.

9. Between on or about January 1, 2007 and on or about December 31, 2007, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 265 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.

10. Between on or about January 1, 2007 and on or about December 31, 2007, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 253 materially false and fraudulent Form I-129 petitions to the United States Department of Homeland Security and the United States Department of State.

11. Between on or about January 1, 2008 and on or about December 31, 2008, defendants MICHAEL GLAH, THERESA KLISH, EMILY FORD, and MARY GILLIN, and others, submitted approximately 265 materially false and fraudulent Form I-129 petitions to the United States Department of Homeland Security and the United States Department of State.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH SIX

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 16 of Count One are incorporated here.
2. On or about the dates below, each date constituting a separate count, in the Eastern District of Pennsylvania and elsewhere, the defendants,

**MICHAEL GLAH,
THERESA KLISH,
EMILY FORD, and
MARY GILLIN**

knowingly subscribed as true, under penalty of perjury (as permitted under Title 28, United States Code, Section 1746), a false statement with respect to a material fact in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-129 Petition for Nonimmigrant Worker application package that included a fraudulently obtained labor certification, and knowingly presented and caused to be presented such application, affidavit, and other document which contained such false statement and which failed to contain any reasonable basis in law and fact, and aided and abetted the same.

Count	Employer	Date	Defendants
2	Lancaster Country Club	10-26-04	Michael GLAH Theresa KLISH
3	Nurney Landscaping and Design, Inc.	12-26-04	Michael GLAH Emily FORD Mary GILLIN
4	Down to Earth Landscaping	5-1-08	Michael GLAH
5	Fieldstone Golfcourse	2-14-07	Michael GLAH

6	DiSabatino Landscaping and Tree Service	12-12-05	Michael GLAH
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In violation of Title 18, United States Code, Sections 1546(a) and 2.

COUNT SEVEN

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 16 of Count One are incorporated here.
2. On or about April 10, 2007, in the Eastern District of Pennsylvania, defendant

EMILY FORD

knowingly encouraged and induced, and aided and abetted the encouragement and inducement of, an alien, namely, AHC, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entering, and residing in the United States was and would be in violation of law.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(A)(v)(II).

COUNTS EIGHT THROUGH TEN

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 16 of Count One are incorporated here.
2. On or about the dates listed below, in the Eastern District of Pennsylvania,
defendant

MICHAEL GLAH

for the purpose of commercial advantage and private financial gain, knowingly and in reckless disregard of the fact that the aliens identified below had not received prior official authorization to come to, enter, and reside in the United States, brought these aliens to the United States, and aided and abetted their being brought, each individual alien constituting a separate count of this information:

Count	Date of Entry	Alien
8	2-26-05	NNC
9	3-3-05	RGS
10	4-1-05	DMR

In violation of Title 8, United States Code, Sections 1324(a)(2), 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

COUNT ELEVEN

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 16 of Count One are incorporated here.
2. From on or about January 1, 2003 to on or about December 31, 2008, within the Eastern District of Pennsylvania and elsewhere, defendant

MICHAEL GLAH

conspired and agreed with others known and unknown to the grand jury, to commit offenses against the United States:

(a) to knowingly bring to the United States illegal aliens, for the purpose of commercial advantage and private financial gain, knowing and in reckless disregard of the fact that the aliens had not received prior official authorization to enter and reside in the United States, in violation of Title 8, United States Code, Sections 1324(a)(2) and 1324(a)(2)(B)(ii);

(b) to knowingly encourage and induce illegal aliens, for the purpose of commercial advantage and private financial gain, to enter and reside in the United States, knowing and in reckless disregard of the fact that the aliens entry and residence in the United States was illegal, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i).

(c) to knowingly conceal, harbor, and shield illegal aliens, for the purpose of commercial advantage and private financial gain, from detection, knowing and in reckless disregard of the fact that the aliens had entered and remained in the United States illegally, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

MANNER AND MEANS

3. It was part of the conspiracy to bring illegal aliens into the United States for the purpose of commercial advantage and private financial gain.

It was further part of the conspiracy that:

4. In or about 2003 and 2004, defendant MICHAEL GLAH reached agreements with certain of IPR's clients, including country clubs, landscaping companies, construction companies, and golf courses located throughout the United States, that the illegal aliens employed by IPR's clients would return to their countries of origin, in most cases Mexico, and then use the services of IPR to obtain H-2B visas for those illegal aliens to reenter the United States.

5. After the aliens returned to Mexico, employees of IPR, including defendant Michael GLAH, met with and coached the aliens to lie to United States immigration officials during the aliens' visa application interviews, specifically, GLAH and his co-conspirators instructed the aliens to misrepresent that they had never been illegally present in the United States.

6. By lying to immigration officials as instructed, the illegal aliens that IPR's clients had employed unlawfully procured H-2B visas, reentered the United States, and returned to work for their former employers. IPR chartered buses that brought the aliens from Mexico to West Chester, Pennsylvania, where the aliens were picked up by their former employers and returned to the employment sites.

7. In or about January 2005, IPR sent letters to approximately 69 of its clients,

including country clubs, landscaping companies, construction companies, and golf courses located throughout the United States, notifying these businesses that their labor certification applications had been rejected because the annual visa cap had been met. These 69 clients had requested H-2B visas for approximately 433 aliens.

8. Also in or about January 2005, as a result of the scheme described in Count One of this Information, other of IPR's clients had been approved for, in the aggregate, hundreds of unneeded H-2B visas for fictitious aliens who had no offers of employment, or intent to work for any of IPR's clients.

9. Defendant GLAH reached agreements with the approximate 69 clients whose petitions had been rejected by which IPR fraudulently provided approval forms to the reject employers so that they could pretend that their 433 alien workers had proper visas.

10. In or about January and February 2005, in Mexico, defendant MICHAEL GLAH met with and coached aliens to lie to United States immigration officials during their visa application interviews, specifically, GLAH and his co-conspirators instructed these aliens to misrepresent that they would be working for the employer on whose Form 1-129 he or she was listed, despite knowing that these aliens would be working for different employers, that is, their former employers who had employed them in 2004. Defendant GLAH and his co-conspirators also instructed the aliens to misrepresent that they had never been illegally present in the United States.

11. By lying to immigration officials as instructed, the aliens unlawfully procured H-2B visas which allowed them to illegally reenter the United States. IPR chartered buses that brought the aliens from Mexico to West Chester, Pennsylvania, where the aliens returned to

work for their former employers, and not the employers identified on the aliens' unlawfully procured H-2B visas.

OVERT ACTS

In furtherance of the conspiracy, defendant MICHAEL GLAH and other conspirators, known and unknown, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. Approximately 433 Illegal aliens entered the United States, and were subsequently brought to Pennsylvania, on or about the following dates: February 10, 2005, February 17, 2005, February 22, 2005, February 24, 2005, February 26, 2005, February 28, 2005, March 2, 2005, March 3, 2005, March 4, 2005, March 5, 2005, March 7, 2005, March 8, 2005, March 10, 2005, March 17, 2005, March 24, 2005, March 27, 2005, March 29, 2005, April 1, 2005, April 14, 2005, and June 23, 2005.
2. Between on or about January 1, 2003 and on or about December 31, 2003, defendant MICHAEL GLAH, and others, submitted approximately 118 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.
3. Between on or about January 1, 2004 and on or about December 31, 2004, defendant MICHAEL GLAH, and others, submitted approximately 166 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.
4. Between on or about January 1, 2005 and on or about December 31, 2005, defendant MICHAEL GLAH, and others, submitted approximately 70 materially false and fraudulent Form ETA 750 applications to the United States Department of Labor.

5. Between on or about January 1, 2005 and on or about December 31, 2005, defendant MICHAEL GLAH, and others, submitted more than 90 materially false and fraudulent Form I-129 petitions to the United States Department of Homeland Security and the United States Department of State.

All in violation of Title 18, United States Code, Section 371.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 371 and 1546, set forth in this Information, defendants

**MICHAEL GLAH and
THERESA KLISH**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of such offenses including, but not limited to, the sum of \$ 1,000,000.00.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982.

MICHAEL L. LEVY
United States Attorney